Remarks

Claims 1-27 are pending, and claims 1-27 stand rejected. Claims 1-3, 5, 7, 9-19, 23, and 27 are amended by this response. The Applicants respectfully traverse the rejection and request allowance of claims 1-27.

§ 101 Rejections

The Examiner rejected claims 19-27 under 35 U.S.C. § 101 as claiming non-statutory subject matter. The Applicants submit that claims 19-27 are directed to statutory subject matter under § 101.

The Examiner states in the Office Action (page 2) that claims 19-27 do not recite a computer program product that is embodied in a computer readable medium, and is therefore functional descriptive material and non-statutory. The Applicants disagree with this assertion. The Examiner is citing language from MPEP § 2106. MPEP § 2106 provides that functional descriptive material that is recorded on some computer-readable medium becomes structurally and functionally interrelated to the medium and will be statutory in most cases.

Claim 19 of the pending application describes a product comprising processing system instructions, interface system instructions, and a storage medium that stores the processing system instructions and the interface instructions. Claim 19 further describes a processor operational to execute the instructions. Thus, the Applicants do not understand how the Examiner can say that claims 19-27 do not recite a computer program product that is embodied in a computer readable medium, when the product of claim 19 specifically states that the instructions are stored on a "storage media" and a processor is able to read the instructions from the storage media. Therefore, the Applicants submit that claims 19-27 are statutory under § 101.

Further, the Examiner in the Office Action continually refers to "data structures". Claim 19 does not claim data structures. Claim 19 claims instructions that direct a processor to perform an operation. The Applicants request that the Examiner refer to the language of the claims in the rejections so that the Applicants can better respond to the rejections.

§ 102 Claim Rejections

The Examiner rejected claims 10-18 under 35 U.S.C. § 102 as anticipated by U.S. Patent

Application Publication Number 2002/0029350 (Cooper). The Applicants submit that claims 10-18 are novel over Cooper.

Claim 10, as amended, of the pending application describes:

An intranet platform system comprising:

a processing system configured to process a first request message from a first user having a first intranet access card to determine if an intranet configuration exists, in response to determining the intranet configuration exists, processing the first request message to connect the first user to the intranet configuration to provide intranet services associated with the first intranet access card to the first user, wherein the intranet services provided depend on the intranet configuration, and in response to determining the intranet configuration does not exist, processing the first request message to create the intranet configuration and connect the first user to the intranet configuration to provide the intranet services associated with the first intranet access card to the first user, wherein the intranet services provided depend on the intranet configuration created based on the first request message; and

an interface system coupled to the processing system and configured to receive the first request message for the processing system from the first user.

On page 3 of the Office Action, the Examiner states that because Cooper shows the structure of a processing system and an interface, Cooper consequently teaches claim 10 of the pending application. The Examiner did not consider the functional limitations of claims 10-18 and states that an apparatus claim must be distinguished from the prior art in terms of structure rather than function. The Applicants completely disagree.

It is well settled in patent law that an apparatus claim may include functional limitations. The Applicants find no need to cite case law supporting this assertion as it is fundamental to patent law (as the use of functional language has been codified in 35 U.S.C. § 112). As a quick reference, the Applicants point the Examiner to MPEP § 2173.05(g). To paraphrase, MPEP § 2173.05(g) provides that functional limitations are often used in association with an element to define a particular capability or purpose that is served by the recited element. Functional limitations are proper as long as the limitations comply with 35 U.S.C. § 112. The Applicants submit that the functional limitations of claims 10-18 are definite under § 112, and therefore, claims 10-18 are proper claims.

The Examiner failed to examine the functional limitations of claims 10-18 in view of Cooper. The Applicants, in the following section, will distinguish claims 10-18 from Cooper.

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§ 103 Claim Rejections

The Examiner rejected claims 1-27 under 35 U.S.C. § 103 in view of Cooper and U.S. Patent Application Publication Number 2001/0054019 (de Fabrega). The Applicants submit that claims 1-27 are non-obvious over Cooper and de Fabrega.

Regarding independent claim 1 of the pending application, claim 1 describes (in part):

> *A method for providing access to an intranet, the method comprising:*
>
> *providing intranet access cards to users, wherein the intranet access cards include intranet access information;*
>
> *receiving a first request message for access to the intranet from a first user who receives a first intranet access card;*
>
> *processing the first request message to determine if an intranet configuration exists;*
>
> *in response to determining the intranet configuration exists, processing the first request message to connect the first user to the intranet configuration to provide intranet services associated with the first intranet access card to the first user, wherein the intranet services provided depend on the intranet configuration;*
>
> *in response to determining the intranet configuration does not exist, processing the first request message to create the intranet configuration to provide the intranet services associated with the first intranet access card to the first user, wherein the intranet services provided depend on the intranet configuration created based on the first request message.*

Neither Cooper nor de Fabrega teaches these steps of the method of claim 1.

Cooper describes a method of securely connecting a client to a consultant over a Virtual Private Network (VPN). However, Cooper doesn't teach setting up an intranet configuration on an intranet, or using intranet access cards to connect users to particular services over the intranet configuration as described in claim 1. In particular to claim 1, Cooper doesn't teach processing a request message to connect a user to an intranet configuration to provide intranet services associated with an intranet access card to the user. Further, Cooper doesn't teach processing the request message to create the intranet configuration to provide the intranet services associated with the intranet access card to the user.

de Fabrega describes a public access terminal that allows the general public to access an e-commerce intranet. A user logs on to the intranet through the access terminal to purchase

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items. Once logged on, the user may access any site hosted by the intranet. The user may purchase a pre-paid card to access paid-for services offered by the e-commerce intranet. However, de Fabrega does not teach using intranet access cards to connect users to particular services over an intranet configuration as described in claim 1. In particular to claim 1, de Fabrega doesn't teach processing a request message to connect a user to an intranet configuration to provide intranet services associated with an intranet access card to the user. Further, de Fabrega doesn't teach processing the request message to create the intranet configuration to provide the intranet services associated with the intranet access card to the user.

The pre-paid card in de Fabrega allows the user to access the intranet or pay for something on the e-commerce intranet. Once connected, the user can access any site. The user is not limited to certain sites or services based on information from the pre-paid card. In claim 1, the information on the intranet access card provides for a particular configuration that provides a user access to particular services associated with the card. The user is limited to the services associated with the card, as the particular services accessible by the user depend on the configuration. Advantageously, different users can be given access to different services depending on what card they receive.

Based on the above remarks, the Applicants submit that claim 1 is novel and non-obvious over Cooper and de Fabrega. The Applicants further submit that independent claims 10 and 27, and the dependent claims are novel and non-obvious for similar reasons.
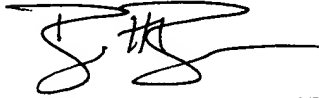

Conclusion

Based on the above remarks, the Applicants submit that claims 1-27 are allowable. There may be additional reasons in support of patentability, but such reasons are omitted in the interests of brevity. The Applicants respectfully request allowance of claims 1-27.

Any fees may be charged to deposit account 21-0765.

Respectfully submitted,

Date: *12-1•03*

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